

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-157

Judges:

Complainant:

ORDER

The complainant alleged that a superior court judge improperly failed to disqualify himself and that a presiding superior court judge engaged in misconduct by failing to address the failure to disqualify.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After review, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 21, 2014

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judges on August 21, 2014.

This order may not be used as a basis for disqualification of a judge.

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2014-157

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Judge _____ as Presiding Judge of _____ has violated RULE 1.2 of Judicial Code of Conduct by failing to Promoting Confidence in the Judiciary. _____ has repeatedly failed to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary. _____ has ignored, even engaged in questionable conduct by _____ abd has done the opposite of avoiding impropriety or the appearance of impropriety, recently failing to remove _____ from cases after _____ filed a _____ Complaint based on unfounded allegations of misconduct made by _____ during the trial for _____

_____ allows _____ to sit on cases in which _____ is the defense attorney despite testimony by _____ during the _____ Hearing that back in _____ the last time _____ ran a contested election, _____ went through the signatures on _____ opponents petition and challenged enough signatures to have _____ opponent removed from the ballot. _____ acknowledged that _____ never recused from any of _____ cases after _____ made that effort on _____ behalf.

_____ also ignores the fact that _____ has also strongly supported and defended _____ openly on a public website, _____ when news reports or commentary is made regarding _____ conduct. _____ or _____ never disclose this bias in court prior to _____ hearing cases in which is the _____.

At the recent _____ Hearing _____ made several defamatory statements about _____ showing _____ disdain for the new _____ and _____. These ongoing statements, not only at the _____ Hearing but daily in court, leaves a large majority of the people in _____ County to believe that _____ does not have the ability to, at this time, be fair and impartial in cases prosecuted by the _____. Despite these facts _____ takes no action to remove _____ from certain cases where there is a strong appearance of impropriety.

